



CARTREF YW POPETH HOME IS EVERYTHING

Shelter Cymru's response to the Local Government and Housing Committee update on policies and actions to end homelessness.

About Shelter Cymru

We exist to defend the right to a safe home because **home is everything**. We help thousands of people across all of Wales every year who have been affected by the housing emergency by offering free, confidential, and independent advice. When necessary, we constructively challenge on behalf of people to ensure they are properly assisted and to improve practice and learning.

We work with people who use our services as equals. We provide information, advice, and support to help people identify the best options to prevent homelessness, to find and keep a home and to help them take back control of their own lives.

We fight the devastating impact the housing emergency has on our people and communities with campaigning, advice, and support – and we never give up.

Our Response

Our views on the effectiveness of the "everyone in" approach since the start of the pandemic and challenges maintaining that approach over coming months.

- We support the decision to get "everyone in" during the pandemic and commend the Welsh Government, local authorities and stakeholders in the housing and homelessness sector for their efforts in extremely difficult circumstances;
- The effectiveness of the policy has differed across Wales, based on the findings from our own casework. We know that in some instances, local authorities have been (and still are) operating waiting lists for temporary accommodation (TA), in spite of Welsh Government guidance based on public health legislation;
- We would argue that the reasons why some local authorities have struggled more than others are partly due to differing local housing supply pressures, and partly to the differing level of strategic priority offered to housing and homelessness, which has put some homelessness teams in a stronger position to meet the challenges of the pandemic;
- We will soon be in a position to share information gathered by Freedom of Information (Fol) requests which display a fuller picture on the scale of this issue across Wales;
- While the elevated number of people now living in TA is in large part due to the "everyone in" approach, more needs to be done to help move people on into longer-term homes and this should be a priority moving forward;
- We will shortly be in a position to share data from another Fol request on discretionary housing payment (DHP) expenditure across local authorities in Wales;
- DHP can play a critical role in preventing homelessness. In recent years we have Fol'd every local authority in Wales to ascertain how much of their DHP entitlement has been used. Yet most years, we see instances of some local authorities not fully utilising their entitlement and money which could help people being returned to Westminster;

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- This year the Welsh Government has taken the very welcome step of topping up DHPs by £4.1 million. However we understand that not all this money is likely to be spent by the end of March, even though it could be utilised to help people move on from temporary into permanent homes.
- We believe it is vital that local authorities use all of their DHP entitlement and we commend local authorities who “top up” their funds locally to better meet demand. Where a surplus exists, we would like to see local authorities using DHP to support people out of TA and into more suitable, longer-term homes;
- As mentioned earlier, we do have concerns about the precedent set by allowing some local authorities to maintain unlawful waiting lists of people waiting for TA. We are concerned that this precedent undermines the authority of the Housing (Wales) Act 2014 and potentially other pieces of legislation;
- We support the Welsh Government’s vision and enjoy playing a key role in shaping the approach to delivery of this vision. The move to Rapid Rehousing and ensuring that homelessness in Wales is a rare, brief and unrepeated experience is a goal we share;
- Before we are able to make tangible progress towards this vision, we must first address some of the issues raised above, supporting people out of TA and into long term homes, making better use of existing housing stock, finding innovative ways to deliver more new homes, particularly one-bed homes, making better use of available resources such as DHP, and ensuring that the tools are in place to deliver upon the ambitions laid out. We are reassured by the high level of priority that the Welsh Government is placing on all of these matters.

The increase in the number of people rough sleeping and what can be done to reverse it.

- The Welsh Government’s data on homelessness and rough sleeping have shown that over the last year there has been an increase in the number of people recorded as being forced to sleep rough. This is in spite of the “everyone in” policy and supporting legislation;
- Fundamentally, there is no “silver bullet” to resolving the issue of rough sleeping in Wales. Interventions must be well-coordinated and multi-faceted to reflect the multi-faceted nature of our housing emergency in Wales – of which rough sleeping is a part;
- As we have illustrated above, we are aware of instances across some local authorities where duties have not been met in providing people with temporary accommodation, in spite of the guidance. These waiting lists have undoubtedly contributed to the increase in people being forced to sleep rough, despite being owed TA;
- Additionally, as we have referenced, making better use of the levers at our disposal to support people out of TA and into longer-term homes should create more space to ensure people who are rough sleeping have their duties met by local authorities;
- We strongly welcome that the Welsh Government is intending to consider new legislation in the upcoming Green Paper that will include a proposal to end priority need, a key barrier that has driven rough sleeper numbers for many years.
- While the two interventions above can help to alleviate immediate pressures in some instances, there are important macro interventions which must be made to help us tackle rough sleeping once and for all;

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- Ensuring the commitment to 20,000 new social homes (of the right size and in the right places) is delivered on target, in spite of [challenges to supply chains](#);
- National and local action to address the large number of [empty homes](#) across Wales and return as many as possible to a liveable/saleable condition;
- Interventions to stabilise the [runaway rental sector](#) and support people in the private rented sector to be able to afford their rent;
- Helping more people move on from TA and working to implement the Homelessness Action Group report [recommendations](#), making homelessness brief, rare and unrepeatable including a focus on prevention;
- Reconfiguring the housing system towards a Rapid Rehousing approach, including reconfiguring housing support so that people are supported in their own homes as much as possible. Where this is not possible, using a Housing First approach in line with the aims stated above;
- Ensuring that people across all tenures have their needs met and are supported to live healthy, happy and productive lives in their homes. This recognition of housing as being central to, and impacting on, all aspects of people's lives will contribute significantly to the culture change required to end rough sleeping in Wales.

Our response to the Welsh Government's Ending Homelessness in Wales: a high level action plan 2021-26.

- We have attached our response to the aforementioned alongside this document.

Our views on the allocations in the draft budget 2022-23 that support ending homelessness, as well as those increasing the supply, availability and accessibility of housing in the social and private rented sector.

- We welcome the Welsh Government's budgetary support in the fight to end homelessness in Wales. This includes its commitment to increase baseline funding for Homelessness by £18.2m in 2023-24;
- Throughout the pandemic, we have also welcomed the Welsh Government's decision to top up the [Local Authority Hardship fund](#) and its continued commitment to ending homelessness. The steps taken by the Welsh Government will help households across Wales, who are currently feeling the brunt of the cost-of-living crisis and who are already being squeezed by the housing emergency.
- We are concerned about the impact of the freeze on Housing Support Grant (HSG), representing a real terms cut in the face of significant inflationary pressures;
- As we have mentioned through this document, "upstream" work to prevent homelessness is vital in alleviating the current strain on housing and homelessness services as well as meeting the goal of homelessness being rare, brief and unrepeatable in Wales;

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- A real-terms cut to HSG will undoubtedly have a negative impact on preventative projects across Wales, risking driving more people into homelessness;
- In addition to securing HSG funding, we also feel that local authorities would have benefitted from more time and support to deliver upon their Rapid Rehousing plans this year. These plans are vital in terms of contributing to the ambitious plans to move from our current housing emergency and into a Rapid Rehousing model, but it is extremely challenging for local authorities to do detailed strategic planning work under such resource and time pressures;
- Overall, we welcome the budget increase indicated above but believe that more needs to be done in the budget to recognise the importance that people's homes have on other, vital parts of their lives, such as health and productivity.

Our views on the priority areas for the Green Paper on legislative reform and areas we believe the Committee should focus its scrutiny on.

- We welcome the upcoming Green Paper and have long called for legislative reform to the housing and homelessness system to end the homelessness tests that keep so many from accessing the homes and help they need. The conversations we have had up to this point with regard to proposed reforms have been positive and we look forward to helping shape the process;
- The commitment from the Minister for Climate Change to [end priority need](#) and intentional homelessness is something we strongly support and have long campaigned for. We believe the successful removal of these areas is critical to the move toward a more accessible, inclusive and rights-based housing and homelessness system;
- Another key aspect of reform should be making changes to the allocations systems across Wales and we welcome that the Welsh Government is considering action in this area. We believe there is a strong argument to be made in favour of repatriating legislation on allocations, which currently sits under the Housing Act 1996. There are ways we could do things differently, to create more consistency and fairness. Shelter Cymru have recently looked into the [allocation of social housing in Swansea](#) and made recommendations based on our findings which can be transferred to other local authority areas in Wales;
- The recommendations focus on removing barriers to tenants, adopting Housing-First principles within allocations policies and making data collection and usage more efficient;
- One of our key recommendations focussed on former tenant arrears (FTA), which we recently raised in the Equality and Social Justice Committee's inquiry into [debt and the pandemic](#). We have found that where FTA policies are in place, they have presented significant barriers to people who need a home;
- As well as raising this issue with Senedd Committees, we have published a former tenants arrears [good practice guide](#), which we have distributed to stakeholders. The document outlines ways in which the allocations policy can be flexed to support tenants into a home and ensuring that they receive the support they need to successfully sustain a tenancy;

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- Additionally, we support the recommendations made in the Homelessness Action Group March 2020 [report](#), to increase coordination across allocations policies across Wales in an effort to assist move-on and prevent homelessness;
- The role of temporary accommodation plays a fundamental role in Wales currently, with over 7,000 people living in TA as of the latest figures. While we share the ambition for homelessness to become rare, brief and unrepeatable and the trajectory towards a Rapid Rehousing model, we must also address some of the issues we see currently in TA;
- For the vast majority of people, TA is preferable to rough sleeping and/or sofa surfing, but for many this is where the positives stop. We recognise that our casework can present a picture which is not necessarily reflective of the whole housing sector, but some of the instances of unsuitable TA we have seen show that significant work is needed to resolve this issue;
- There are significant numbers of people living in TA with unmet needs and the unprecedented demand has led to more and more unsuitable and poor quality accommodation being used;
- We believe there should be a focus on both supporting people to move-on from TA and into longer-term homes as an immediate priority. There should also be a focus on the future of TA in Wales. TA should be of a high quality and able to respond to the varying needs of the people who have to make use of it;
- We hope that the Green Paper provides an opportunity to improve and refresh [Part 2](#) of the Housing (Wales) Act to help resolve some of the unintended consequences this has created, such as the use of unsuitable TA and intentionality;
- Our recent work on [ending evictions into homelessness from social housing](#) should play an important role in delivering culture change among social landlords and preventing homelessness. We believe the approaches outlined in our research should form a basis for thinking with regard to ending evictions into homelessness from social housing and therefore preventing homelessness more widely in Wales;
- There are many areas of the Green Paper which we believe would benefit from constructive scrutiny from the Committee, however we appreciate that capacity is a challenge and as such propose that the Committee focusses its scrutiny on the below areas:
 - The commitment to end priority need and intentional homelessness, its delivery through legislation and the move toward a more tenant-focussed, accessible and inclusive homelessness system;
 - Coordinating efforts across Wales to give more standardisation to allocations policies, including better capture and use of data and the removal of unnecessary barriers for tenants such as onerous FTA policies;
 - Catalysing the move-on from TA for people and families, addressing immediate concerns about quality and suitability of accommodation and supporting people with unmet needs. The Committee should also consider what the TA of the future might look like and how it will operate in a joined-up, multi-disciplined way as part of a move to Rapid Rehousing.

Our response to the recommendations made by the Public Services Ombudsman for Wales in the recent Homelessness Reviewed: an open door to positive change report.

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- We welcome the Ombudsman's report and its focus on areas we have long campaigned on. The findings in the report do correlate with what we see on a daily basis from our casework and paint a picture of a system in need of reform;
- We carried out [research on homelessness reviews and litigation](#) which helped to inform the Ombudsman's decision to investigate this under-researched area;
- As mentioned above, the inconsistency in approaches taken across differing local authorities with regard to homelessness does deliver a postcode lottery in Wales. Though as we have stated, even within local authorities, approaches can differ and this is why we have reiterated calls to move away from subjective and discretionary support systems to a more rights-based, person-centred approach;
- In particular we welcome the Ombudsman's focus on helping authorities to share learning in order to assist them to get homelessness decisions right the first time. We also welcome the Ombudsman's suggestion that the Welsh Government should do more to support authorities in their reviewing, for example by standardising forms. The idea of a Homelessness Regulator has strong support from the third and academic sectors and we would argue it is worth exploring.
- The focus on lived experience – and in particular, our Take Notice project – is encouraging and we would urge all stakeholders to ensure that any policy changes and/or resources for service users are created in partnership with people who have lived experience of homelessness and/or housing difficulties.
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Llywodraeth Cymru
Welsh Government

Consultation Response Form

Your name: Jennie Bibbings
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Questions

Q1 The Action Plan is split into four key areas of focus (Partnerships, Rare, Brief and Non-recurring). Do you agree that these are the right areas of focus / themes to focus the plan around?

Yes

No

Partly

Please explain why you consider the areas of focus / themes are right or if you think a different approach is needed?

The four areas of the Action Plan reflect the main chapters in the Homelessness Action Group's (HAG's) final report 'Preventing, tackling and ending homelessness through rapid rehousing and local, regional and national partnerships' (July 2020).

We regard this as a good way of linking the report to the Action Plan. The Welsh Government may wish to consider explaining the link more fully in the introduction to the Action Plan, and adopting the full headings as used in the HAG report - i.e.

- Partnerships to end homelessness
- Rapid rehousing (making homelessness brief and non-repeated)
- Improving access to prevention (making homelessness rare)

In the 'Table of High Level Actions' the Welsh Government may wish to consider adding a column to clarify which of these areas, and which of HAG's recommendations, aim to be addressed by each Action.

We also suggest that the Welsh Government considers clarifying who will lead and drive forward the Action Plan, how progress will be monitored, when and by whom.

Q2 Do the actions in the Action Plan reflect the most effective high level steps that will enable the Welsh Government and its partners to end homelessness in Wales?

Yes

No

Partly

How can they be improved?

The Action Plan includes a large number of mechanisms for helping to prevent and respond to homelessness, some of which are based on evidence of what has led to successful outcomes elsewhere (such as Housing First and Rapid Rehousing).

However, the Welsh Government may wish to consider including the following actions that should help to address homelessness:

- work by the Welsh Government and partners to review and raise the levels of Local Housing Allowance. This could lead to a significant increase in the number of privately rented homes that would become affordable for many more homeless households who receive benefits; this issue has been highlighted in the 2021 Bevan Foundation report 'Wales Housing Crisis; the role of LHA' <https://www.bevanfoundation.org/resources/wales-housing-crisis-the-role-of-lha/>. The report found that over the summer of 2021 the LHA rate only covered the cost of rent in full of 4.8 per cent of homes advertised on the market across 10 Welsh local authorities. We know that the Welsh Government would welcome the restoration of LHA to the 50th percentile of the Broad Rental Market Area. As well as lobbying the UK Government to do this, the Welsh Government should look to the recommendations in the Bevan Foundation report and explore what else can be achieved, for example, by improving data on rent levels in order to ensure that rent assessments by Rent Officers Wales are as accurate as possible;
- references to wider actions that can be taken related to increasing the availability of housing such as:
 - using UK and international research to understand opportunities to intervene successfully in the private rented sector and wider housing market in light of the current affordability crisis, and also in respect of creative solutions to the current temporary accommodation crisis
 - an increased focus on bringing suitable vacant properties back into use
 - actions related to planning – e.g. a well-resourced planning administration to ensure prompt decisions on applications for new social housing, introducing guidance/legislation in relation to controlling the percentage/number of second homes/holiday lets/Airbnbs, and reviewing planning regulations to include a 'change of use' for holiday lets;
 - actions related to increasing the availability of land for social housing developments; - e.g. on sites of publicly owned land or on sites where publicly owned buildings are no longer in use. Housing Justice Cymru's Faith in Affordable Housing model represents what can be achieved by giving strategic consideration to under-utilised land, and may have wider applicability in relation to government, local authority and health estate;

- reinforcing a leadership and operational culture of proactive, kind help and support from all services working with homeless people, using the Equal Ground [Standard](#) and [Measure](#) as a framework for achieving this, and working in partnership with Take Notice members to assess success in this area;
- an action that reflects the ongoing commitment of the Welsh Government to the importance and provision of high quality, free and independent housing and homelessness advice in preventing homelessness, as part of WG's wider commitment to social justice. Shelter Cymru continues to experience very high demand for our advice services, but witnesses the significant impact that advice and support brings to preventing homelessness. We are mindful that our rights-based advocacy role is inherently challenging for local authorities, making this WG endorsement of the role of independent advice helpful, we hope, for all parties.

Q3 Does the Action Plan align with other relevant areas of policy and practice?

Yes

No

Partly

Please explain why it aligns well or outline how it could be made better?

The Action Plan contains references to a range of policy and practice areas.

We strongly welcome Action 3 (Develop and publish a Green Paper examining required legislative reform) which may lead to changes in legislation to strengthen the help given to people who are homeless or threatened with homelessness; for example, we welcome the Welsh Government's intention to consider moving away from the 'tests' of priority need and intentionality and towards enabling everyone in need of a home to access one. As priority need has been suspended during the pandemic, this has highlighted the level of 'hidden homelessness' in Wales and unmet need; returning to a situation of priority need could lead to a significant number of people returning to unseen and intermittent homelessness. We have been long-standing advocates of universalism in homelessness legislation. Our 2011 study on intentional homelessness showed the damaging short- and long-term effects of intentionality decisions on people experiencing homelessness, particularly on children. We were pleased to see this research inform subsequent Welsh Government policy to limit the use of intentionality against families with children, but ultimately we believe intentionality does more harm than good to wider society and as Welsh local authority good practice has shown, is simply not needed in a mature legislative framework.

The Welsh Government may wish to consider including reference to local authority planning systems to help create a stronger link between planning and homelessness – i.e. a clear link between Local Housing Market Assessments, homelessness demand and the size, type and location of new housing developments.

The Welsh Government may also wish to consider including reference to ways in which local authorities can maximise financial help for people to move on from homelessness. For example, relationships between Housing Benefit teams and Housing Options teams are not uniformly strong across all local authorities, yet Discretionary Housing Payments are a key tool available to help people afford permanent homes.

Q4 We have developed a number of key actions and milestones. Do you feel these are the right ones?

Yes

No

Partly

Q5 Do you think there are any key areas for action not captured by the high level actions? If so, what would they be?

Please provide additional comments

As noted earlier, the Welsh Government may wish to consider including more actions regarding planning regulations and using publicly owned land to increase the supply of social housing.

In the 'Table of High Level Actions' we have the following suggestions:

- Action 4 (Increase housing supply, availability and accessibility in the social and private rented sector): include the principle of ending evictions into homelessness from social housing; the Shelter Cymru report (2021) 'Working Together to end homelessness from social housing' may be worth including as a footnote for principles and good practice examples (https://sheltercymru.org.uk/policy_and_research/end-homelessness-from-social-housing/). Also on Action 4, we suggest being clear whether this plan is predicated on the building of the planned 20K homes to timetable
- Action 5 (Commission work to develop a workforce training, development and recognition framework): include developing and resourcing a framework to support staff whose roles include responding to clients in distress and trauma. Some (but not exhaustive) examples are front line local authority

homelessness/Housing Options staff, staff working in hostels, shared housing and outreach roles, and third sector housing advice staff. Our recent work with Conwy Council would be useful here, as would the Equal Ground [Standard](#) and [Measure](#)

- Action 7 (Review and revise data collection): include a preference to move to individual-level data collection. Develop collection of and reporting on protected characteristics, given disproportionate impact of homelessness – it is welcome that this is acknowledged earlier in the plan
- Action 11 (Improve early intervention and targeted prevention measures): suggest including independent housing advice, and leaving home education, as key prevention mechanisms
- Add a new action regarding training, development and support to ensure there is consistently high quality decision making regarding local authority homelessness assessments and applications. In light of the recent report by the Public Services Ombudsman on homelessness reviews (<https://www.ombudsman.wales/wp-content/uploads/2021/10/Homelessness-Reviewed-an-open-door-to-positive-change.pdf>) we would support the Welsh Government considering the recommendation to 'Improve and standardise the homelessness service across Wales by considering the creation of a Housing/Homelessness Regulator role to support and provide information and guidance to local authorities.'

Q6 We would like to know your views on the effects that the Ending Homelessness Action Plan would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

It is important that people are able to access essential services, including homelessness services, in the language of their choice. When people are in crisis situations, having to use a second language can cause unnecessary stress and make it harder for people to communicate the precise nature of their needs. The Ending Homelessness Action Plan should describe how the Welsh Government will support local authorities and partners to ensure that statutory and non-statutory homelessness and related services can be provided through the medium of Welsh for everyone who wants them.

Q7 Please also explain how you believe the proposed plan could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

As above.

Q8 We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

We welcome the approach outlined in the Introduction that the Plan is a living document that will be updated annually.

The Welsh Government may wish to consider including details of who will be involved in updating/reviewing the Plan. We would strongly welcome and advocate well-structured reviews that meaningfully hears and responds to the views of diverse people (single people and families) with recent lived experience of becoming, being or recovering from homelessness. We would also support a mechanism during the reviews to hear the views of front-line staff from the public and third sector.